

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO.: 3:04CR271**

**UNITED STATES OF AMERICA,**       )  
                    **Plaintiff,**               )  
**vs.**                                        )  
  )  
**NICHOLAS RAGIN,**                       )  
                    **Defendant.**               )  
\_\_\_\_\_)

**ORDER**

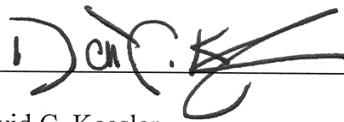
**THIS MATTER IS BEFORE THE COURT** pursuant to the Court’s receipt of two handwritten letters from the defendant, Nicholas Ragin, to United States District Judge Robert Conrad and Deputy Clerk Tammy O’Brien, respectively. The undersigned has reviewed both of these items and issues the following Order.

In his letter to Judge Conrad, Mr. Ragin addresses various features of his pending case. In the final paragraph of the letter, Mr. Ragin makes statements which might conceivably be interpreted as a motion to suppress statements made by him during the investigation. To this extent, the undersigned reminds Mr. Ragin of the Court’s longstanding policy that *pro se* motions filed by represented defendants will be denied as moot, without prejudice to the defendant’s ability to re-file the motions, if appropriate, after consultation with counsel. Since the defendant is represented by attorney, Nikita V. Mackey, to the extent Mr. Ragin may fairly be said to have moved to suppress evidence in his letter to Judge Conrad, that motion is **DENIED** as moot.

In his letter to Ms. O’Brien, the defendant criticizes the performance of his lawyer. While Mr. Ragin indicates he is “not requesting any type of hearing,” the undersigned in an abundance of caution will direct the Clerk’s Office to place Mr. Ragin’s case on for an inquiry to counsel hearing so that the status of his representation by Mr. Mackey may be confirmed.

**IT IS THEREFORE ORDERED** that, to the extent Mr. Ragin made a motion to suppress in his correspondence to United States District Judge Robert Conrad, that motion is **DENIED** as moot. Based on his letter to Deputy Clerk O'Brien, the Clerk's Office is directed to place Mr. Ragin's case on for an inquiry to counsel hearing at the earliest possible time.

Signed: February 27, 2006

  
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David C. Keesler  
United States Magistrate Judge

